

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ATLANTIC RICHFIELD COMPANY,

Plaintiff,

v.

Civ. No. 15-56 DHU/KK

UNITED STATES OF AMERICA, and
PUEBLO OF LAGUNA,

Defendants.

**ORDER SETTING CASE MANAGEMENT DEADLINES
FOR PHASE II DISCOVERY**

THIS MATTER came before the Court at a telephonic scheduling conference held on December 16, 2022, to establish case management deadlines and discovery limitations for Phase II discovery.¹ The Court adopts the Phase II case management deadlines the parties proposed as follows:

- | | | |
|-----|--|--------------------|
| a). | Plaintiff's Rule 26(a)(2) expert disclosures: ² | September 15, 2023 |
| b). | Defendants' Rule 26(a)(2) expert disclosures: ² | November 15, 2023 |
| c). | Rebuttal expert reports: | January 15, 2024 |
| d). | Termination date for discovery: ³ | April 15, 2024 |
| e). | Motions relating to discovery to be filed by: ⁴ | May 6, 2024 |

¹ The Court granted the Joint Motion to Bifurcate Discovery (Doc. 187) on April 12, 2021. (Doc. 194).

² Parties must disclose the names of all expert witnesses, the subject matter on which the experts will present evidence, and a summary of the facts and opinions to which the experts are expected to testify by this date. Experts who are retained or specifically employed to provide expert testimony must also submit an expert report by this date. *See* Fed. R. Civ. P. 26(a)(2). The parties must have their retained expert(s) ready to be deposed at the time they identify them and provide their reports. Expert witnesses who are not required to provide a written report may be deposed before summary disclosure.

³ Discovery must be completed on or before this deadline.

⁴ This deadline should not be construed to extend the twenty-one-day time limit in D.N.M.LR-Civ. 26.6.

- f). Pretrial motions other than discovery motions (including motions which may require a *Daubert* hearing and motions to bifurcate trial) filed by:⁵

June 17, 2024

Parties may not modify case management deadlines on their own. Good cause must be shown, and the Court's express, written approval obtained for any modification of the case management deadlines set forth herein. Any requests for additional discovery must be submitted to the Court by motion prior to the expiration of discovery.

IT IS SO ORDERED.



KIRTAN KHALSA
UNITED STATES MAGISTRATE JUDGE

⁵ This deadline applies to Phase II dispositive motions and motions related to the admissibility of experts or expert testimony relied upon in Phase II dispositive motion briefing that may require a *Daubert* hearing, but otherwise does not apply to motions in limine. The Court will set a motions in limine deadline if necessary in a separate order.